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SEE, CAROL A				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/688,213

Applicant(s)

GAUTIER ET AL.

Examiner

Carol See

Art Unit

3693

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 9, 11-25, 38, 42-47, 56 and 62-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9, 11-25, 38, 42-47, 56 and 62-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Examiner acknowledges receipt of Applicant's Arguments/Remarks (6/21/2010) in which Applicant amended claims 1, and 56 and added new claims 63-65.
2. Applicant's amendment of claim 56 overcomes previous objection which is hereby withdrawn.
3. Claims 1-6, 8-9, 11-25, 38, 42-47, 56 and 62-65 are pending in this action.

Response to Arguments

4. Applicant's arguments filed 6/21/2010 have been fully considered but they are not persuasive.

Re claim 1: Applicant argues (pg. 16):

Contrary to the assertions in the Office Action, Claim 1 recites the purpose of the money in a positively recited limitation, namely, "the allowance representing an amount of money being made available by the user to the recipient for purchase of one or more items over the network" and "periodically initiating transfer ... of money into the recipient account". Accordingly, Claim 1 positively recites that the money is transferred and made available to the recipient for purchase of items over the network.

Response: The recitation of the purpose of the money is not a positively recited limitation in claim 1 – again, the language of 1(a) is merely a purpose of the method step. The cited reference addresses receiving the allowance request (1(a)) and initiating a transfer (1(c)). Accordingly, this interpretation is maintained in this action and the previous rejections are maintained.

Further re claim 1, Applicant argues (pgs. 16-17):

Furthermore, as stated in previous amendments, the Office Action improperly equates the credit limit provided by the card issuer of Fleming to the transfer of money recited in claim 1. Fleming simply teaches that credit is given on a credit card that has to be paid back to the credit card

issuer, which is not a transfer of money. A credit limit is the maximum amount of credit that a financial institution or other lender will extend to a debtor for a particular line of credit. There is no transfer of money from the credit card company to the credit card holder. This is further supported in Fleming, which specifically teaches that the parents "make a single payment for both the child's and the parent's credit card accounts." (Col. 3, lines 21-23, See also Col. 5, lines 22- 24 which states a "parent sends a payment 16 via the payment delivery service 18 which is processed by the Bank Payment Processing System 20"). Thus, In fact, should the credit be equated to the transfer of money, there would be no need or desire for the user to "send a payment" to the credit card company. Thus, equating the credit limit of Fleming to the transfer of money recited in claim 1 is not logical especially since Fleming teaches that the user (i.e., parents) must send a payment for the purchases placed on the credit card to the credit card company.

The Office Action, on page 3, contends that "[f]urther arguments regarding payment of credit card as asserted by Applicant, fail to address recited claim limitations." Applicants respectfully disagree. Nowhere does Fleming teach or suggest nor has the Examiner specifically illustrated where Fleming discloses "wherein the transfer of the money periodically in the amount of the allowance increment is achieved by transferring the amount of the allowance increment from a credit card associated with the user to the recipient account" as recited in claim 1. In fact, as stated above, Fleming teaches that the parents "make a single payment for both the child's and the parent's credit card accounts." The child's credit card of Fleming is clearly not funded with money that is transferred from the parent's credit card.

Response: Examiner respectfully notes that increasing or decreasing an amount of credit available in another account, as cited by prior art references, by designating an amount of credit to be provided to that account from a first account, broadly interpreted, reads on "transferring an amount of money" to that account, as previously noted in Fleming (col. 6, lines 20-47, showing set up of child account in conjunction with col. 10, lines 10-47 and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set allowance, which is an amount of money being made available to the recipient, i.e., the child). Fleming further shows wherein the transfer of the money periodically in the amount of the allowance increment is achieved by transferring the amount of the allowance increment from a credit card associated with the user to the recipient account (col. 10, lines 10-47 (in conjunction with col. 3, lines 11-19, 23-25, col. 9, lines 58-54, further showing credit cards referred to in col. 10), showing determining amount

available in parent credit card account being checked to determine if transfer can be made to recipient account and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set allowance, which is an amount of money then credited to recipient account and also debited from the user account, thereby indicating that the user funds the recipient account),

Re claim 56, Applicant further argues (pg. 17):

With respect to claim 56, the Office Action further asserts that "the actual purchasing of goods over a network is not positively recited, and that the 'facilitating' step does not positively recite that goods are purchased with the allowance." Applicants respectfully disagree. Claim 56, among other things, recites: "facilitating purchase by the recipients of one or more items over the network using the money from the allowance increments that have been transferred to the recipient accounts associated with the recipients." Claim 56 clearly recites that the purchase of the items are used with the money from the allowance increments.

The Office Action further broadly interprets the term facilitated and improperly asserts that facilitated is "merely making the money available to the recipient." Applicants respectfully disagree. Purchasing items over the network includes more than merely making money available to the recipient.

Response: Examiner respectfully reiterates that the actual purchasing of goods over a network is not positively recited, and that the "facilitating" step does not positively recite that goods are purchased with the allowance. The claim language states that doing so is facilitated – which Examiner asserts is accomplished by merely making the money available to the recipient. Accordingly, the rejection is maintained.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on 6/21/2010 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 4-6, 11-12, 14-18, 21-25, 44-47, 56 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming (U.S. 5,953,710).

As to claim 1, Fleming shows a method for transferring an amount of money to a recipient account associated with a recipient, the amount of money being available for use by the recipient for purchase of goods over a network, said method comprising:

(a) receiving an allowance request from a user indicating a request to set up an allowance for a recipient, the allowance representing an amount of money being made available by the user to the recipient for purchase of one or more items over the network (col. 6, lines 20-47, showing set up of child account in conjunction with col. 10, lines 10-47 and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set

allowance, which is an amount of money being made available to the recipient, i.e., the child);

(b) receiving an allowance increment or selection of an allowance increment, the allowance increment indicating an amount of money to be transferred to the recipient account on a periodic basis (col. 14, lines 45-57);

(c) periodically initiating transfer of money into the recipient account in accordance with the allowance request and the allowance increment wherein the transfer of the money periodically in the amount of the allowance increment is achieved by transferring the amount of the allowance increment from a credit card associated with the user to the recipient account, whereby the recipient account is credited with the amount of the allowance increment (col. 10, lines 10-47 and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set allowance, which is an amount of money then credited to recipient account and also debited from the user account, thereby indicating that the user funds the recipient account).

Fleming shows the method steps recited being performed by a computer (col. 5, lines 19-32, lines 30-38, fig. 1, fig. 6, showing customer communication with bank through customer access device over a telecommunications link (which encompasses personal computers - col. 9, lines 54-64) to enter requests that are processed by the computer system; however, Fleming does not expressly show "the transfer step performed by at least one server. Examiner submits that as information – e.g., requests - are received from a remote customer over a telecommunications link, which can be

compared to a network, by a bank customer account information system which then responds to those requests, this functionality can be compared to a server on a network. It is old and well known in the art to utilize a server to connect remote personal computers to a bank, to provide requested information or services to the remote computer.

The recitation "for use by the recipient for purchase of goods over a network" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

The recitation "for purchase of one or more items over the network" in clause (b) of the claim constitutes nonfunctional descriptive material. As such the recitation is not afforded patentable weight. The reason for performance of the method step is not functionally related to the actual performance. The claimed method step will be performed regardless of the reason it is being performed. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F. 2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F. 3d 1579, 32 USPQ 2d 1031 (Fed. Cir. 1994).

As to claim 4, Fleming shows all elements of claim 1. Fleming further shows

receiving, over the network, a selection of a period of time after expiration of which the allowance increment is to be transferred to the recipient account, wherein the allowance increment is to be transferred to the recipient account each time the period of time expires (col. 14, lines 55-58, showing parent entering periodic interval after which money is to be transferred).

As to claim 5, Fleming shows all elements of claim 4. Fleming further shows modifying the period of time, thereby updating the allowance that has previously been set up for the recipient (col. 14, lines 58-60).

As to claim 6, Fleming shows all elements of claim 4. Fleming further shows wherein the period of time is a week or a month (col. 19, line 58).

As to claim 11, Fleming shows all elements of claim 1. Fleming further shows credit card information of the recipient not being stored in association with the recipient account (col. 3, lines 35-36 and col. 4, lines 52-53, referencing recipient having a debit card and the supervision of that card's use using the same system as for a credit card. In that instance, credit card information is not stored, but debit account information is stored).

As to claim 12, Fleming shows all elements of claim 1. Fleming further shows wherein a username and password are stored in association with the recipient account (col. 6, lines 20-23, 37-38 and Fig. 2, element 28).

As to claim 14, Fleming shows all elements of claim 1. Fleming further shows wherein the recipient account is identified by a username or email address (col. 6, lines 20-23 and Fig. 2, element 28).

As to claim 15, Fleming shows all elements of claim 1. Fleming further shows receiving an identifier associated with the recipient account (col. 10, lines 20-23).

As to claim 16, Fleming shows all elements of claim 15. Fleming further shows wherein the identifier is a username or email address (col. 10, lines 20-23).

As to claim 17, Fleming shows all elements of claim 1. Fleming further shows receiving an identifier associated with the recipient account or creating the recipient account (col. 6, lines 43-44).

As to claim 18, Fleming shows all elements of claim 1. Fleming further shows creating the recipient account (col. 6, lines 20-47).

As to claim 21, Fleming shows all elements of claim 1. Fleming further shows wherein the user has a user account, wherein the user account is separate from the recipient account (col. 3, lines 11-14).

As to claim 22, Fleming shows all elements of claim 21. Fleming further shows wherein the user is a first individual and the recipient is a second individual (col. 3, lines 11-14).

As to claim 23, Fleming shows all elements of claim 22. Fleming further shows wherein the user is a parent and the recipient is a child of the parent (col. 3, lines 11-14).

As to claim 24, Fleming shows all elements of claim 21. Fleming further shows wherein the user account is a parent account and the recipient account is a sub-account of the parent account (col. 3, lines 11-15).

As to claim 25, Fleming shows all elements of claim 24. Fleming further shows

wherein the recipient can view information associated with the sub-account, but cannot view information associated with the parent account (col. 7, lines 25-37 and Fig. 2A depicting parent statement as including parent and child, and child statement relating only to child's transactions).

As to claim 44, Fleming shows all elements of claim 1. Fleming further shows receiving a request to update the allowance for the recipient (col. 14, lines 47-51).

As to claim 45, Fleming shows all elements of claim 44. Fleming further shows receiving a request to discontinue the allowance for the recipient (col. 14, lines 58-60).

As to claim 46, Fleming shows all elements of claim 44. Fleming further shows receiving a request to modify the allowance for the recipient (col. 14, lines 58-60).

As to claim 47, Fleming shows all elements of claim 46. Fleming further shows wherein modifying an allowance comprises receiving a request to modify the allowance increment to a second allowance increment (col. 14, lines 55-60).

As to claim 56, Fleming shows a method for facilitating the transfer of money to one or more recipient accounts associated with one or more recipients, the money being made available for use by the recipients for purchase of goods over a network, comprising:

maintaining a list of one or more recipient accounts (col. 15, lines 51-58), each of the recipient accounts having an associated allowance increment indicating an amount of money to be transferred to the recipient account on a periodic basis (col. 10, lines 11-26 in conjunction with col. 10, lines 45-60);

automatically transferring money in accordance with the allowance increment

associated with each of the recipient accounts to the corresponding recipient account on a periodic basis (col. 10, lines 11-47 in conjunction with col. 10, lines 45-60); and

facilitating purchase by the recipients of one or more items over the network using the money from the allowance increments that have been transferred to the recipient accounts associated with the recipients (col. 10, lines 11-47 in conjunction with col. 10, lines 45-60, showing transfer of money, which enables –i.e., facilitates - spending of that money for purchases).

Fleming shows the method steps recited being performed by a computer (col. 5, lines 19-32, lines 30-38, fig. 1, fig. 6, showing customer communication with bank through customer access device over a telecommunications link (which encompasses personal computers - col. 9, lines 54-64) to enter requests that are processed by the computer system; however, Fleming does not expressly show “the transfer step performed by at least one server. Examiner submits that as information – e.g., requests - are received from a remote customer over a telecommunications link, which can be compared to a network, by a bank customer account information system which then responds to those requests, this functionality can be compared to a server on a network. It is old and well known in the art to utilize a server to connect remote personal computers to a bank, to provide requested information or services to the remote computer.

The recitation “for facilitating the transfer of money to one or more recipient accounts associated with one or more recipients, the money being made available for use by the recipients for purchase of goods over a network” has not been given

patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

As to claim 62, Fleming shows a computer readable medium including at least executable computer program code tangibly stored thereon for transferring an amount of money to a recipient account associated with a recipient, the amount of money being available for use by the recipient for purchase of goods over a network, said computer readable medium comprising:

computer program code for receiving an allowance request from a user indicating a request to set up an allowance for a recipient, the allowance representing an amount of money being made available by the user to the recipient for purchase of one or more items over the network (col. 17, lines 2-4, 27-36 and Fig. 6);

computer program code for receiving an allowance increment or selection of an allowance increment, the allowance increment indicating an amount of money to be transferred to the recipient account on a periodic basis (col. 9, line 54 through col. 10, line 27); and

computer program code for periodically initiating transfer of money into the recipient account in accordance with the allowance request and the allowance increment, wherein the transfer of the money periodically in the amount of the

allowance increment is achieved by transferring the amount of the allowance increment from a credit card associated with the user to the recipient account, whereby the recipient account is credited with the amount of the allowance increment (col. 10, lines 10-47 and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set allowance, which is an amount of money then credited to recipient account).

Applicant's recitation of "for transferring an amount of money to a recipient account associated with a recipient" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

8. Claims 8-9 and 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming in view of Picciallo et al (U.S. 2001/0034703).

As to claim 8, Fleming shows all elements of claim 1; however, does not expressly show purchasing items, by the recipient, from an online store using the money transferred into the recipient account. Picciallo shows purchasing items, by the recipient, from an online store using the money transferred into the recipient account (paras. 0012-0013, 0020, 0037 (showing credit account), 0060, showing allowance on

credit card used to make purchase on-line). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have incorporated in to the method of providing an allowance to enable a recipient of the allowance to make purchases, as shown in Fleming, the method of using a provided allowance to make purchases, shown in Picciallo, in order to further provide for a user's control and monitoring of a recipient's spending.

As to claim 9, Fleming in view of Picciallo shows all elements of claim 8. Fleming further shows wherein credit card information associated with the credit card is established in association with a user account of the user (col. 6, lines 7-10 and 20-28).

Re claim 63 (New): Fleming shows a method for transferring an amount of money to a recipient account associated with a recipient, said method comprising:

receiving an allowance request from a user indicating a request to set up an allowance for the recipient, the allowance providing an amount of store credit available from the user to the recipient for use at a network-based store (col. 6, lines 20-47, showing set up of child account in conjunction with col. 10, lines 10-47 and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set allowance, which is an amount of money being made available to the recipient, i.e., the child);

receiving a monetary allowance indication, the monetary allowance indication indicating an amount of money to be transferred to the recipient account on a periodic basis (col. 14, lines 45-57);

periodically initiating transfer of money from a credit card associated with the

user into the recipient account so that the recipient account is credited with money in the amount of the allowance increment, the transfer of money based on the allowance request and the allowance increment (col. 10, lines 10-47 and col. 14, lines 45-50, showing a completed parent request for increase to a child's available credit limit, that amount requested being the amount of a set allowance, which is an amount of money then credited to recipient account and also debited from the user account, thereby indicating that the user funds the recipient account).

Fleming does not expressly show the recipient account being associated with the online store such that the amount of money on transfer to the recipient account becomes credit for use in purchasing digital assets from the network-based store; and subsequently processing payment for purchases, by the recipient, of one or more items over a network using the credit in the recipient account that is available to the recipient for use at the network-based store. Picciallo shows the recipient account being associated with the online store such that the amount of money on transfer to the recipient account becomes credit for use in purchasing digital assets from the network-based store; and subsequently processing payment for purchases, by the recipient, of one or more items over a network using the credit in the recipient account that is available to the recipient for use at the network-based store (paras. 0002, 0055-0058, showing request for allotted funds to be paid to payee (the network based store), thereby associating the recipient account (secondary file) with the payee (store), and the recipient requesting withdrawal from the secondary file for purchase that has been made by recipient).

Re claim 64 (New): Fleming in view of Picciallo shows a method as recited in claim 63. Fleming further shows wherein the user account is separate from the recipient account (col. 6, lines 20-21). Picciallo further shows wherein the user has a user account with the network-based store enabling the user to purchase one or more media items over a network, and wherein the user account is associated with the recipient account such that the user is able to access or control purchase activities associated with the recipient account (paras. 0002, 0055-0057, 0059 0061, showing association that allows for approval/disapproval of purchases and having a store account).

Re claim 65 (New): Fleming in view of Picciallo shows a method as recited in claim 64. Picciallo further shows wherein the user is able to control purchase activities associated with the user account by limiting media items that are able to be purchased by the recipient via the recipient account to a subset of items available for purchase via the network-based store (abstract, paras. 0002, 0055-0058, 0061).

Re claims 63-65: It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to have incorporated in to the method of providing an allowance to enable a recipient of the allowance to make purchases, as shown in Fleming, the method of using a provided allowance to make purchases, shown in Picciallo, in order to further provide for a user's control and monitoring of a recipient's spending.

9. Claims 2, 3, 19, 20 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming (U.S. 5,953,710) in view of Herman (WO/0043852).

As to claim 2, Fleming shows all elements of claim 1.

Fleming does not specifically show wherein the allowance is a monthly allowance, and the allowance increment is to be transferred to the recipient account on a monthly basis.

Herman shows wherein the allowance is a monthly allowance, and the allowance increment is to be transferred to the recipient account on a monthly basis (Fig. 7B).

It would have been obvious to one of ordinary skill in the art to have modified the invention of Fleming by the method taught in Herman in order to further accommodate a user's choice of the time in which to make money available.

As to claim 3, Fleming in view of Herman shows all elements of claim 2. Herman further shows wherein when the allowance request is received after a specific date in the month, the allowance increment is to be transferred to the recipient account at the beginning of the next month (pg. 9, lines 24 through pg 10, line 10).

It would have been obvious to one of ordinary skill in the art to have modified the invention of Fleming by the method taught in Herman in order to further accommodate user's choice of the time in which to transfer money and to make it available to a recipient.

As to claim 19, Fleming shows all elements of claim 18.

Fleming does not specifically show wherein creating the recipient account further comprises receiving an email address of the recipient and receiving a temporary password of the recipient.

Herman teaches creating the recipient account that comprises receiving an email address of the recipient and receiving a temporary password of the recipient (pg. 9, lines 3-10).

It would have been obvious to one of ordinary skill in the art to have modified the invention disclosed by Fleming by the method taught in Herman in order to provide identification and access to specified accounts (pg. 9, lines 8-9).

As to claim 20, Fleming in view of Herman shows all elements of claim 19. Fleming further shows receiving a name of the recipient (Fig. 2, elements 22 and 28 in conjunction with Fig. 3, elements 12(a) and 22, showing communication of information).

As to claim 38, Fleming shows all elements of claim 1. Fleming further shows communications through systems that allow the user to input and receive information including personal computer systems (col. 9, lines 60-63) and telecommunications link (Fig. 1, element 12(b)). Fleming does not specifically show the allowance request initiated via an allowance hypertext link. Herman shows the allowance request initiated via an allowance hypertext link (pg. 7, lines 23-25; pg. 8, lines 14-19 and pg. 9, line 24 through page 10, line 10). It would have been obvious to one of ordinary skill in the art to have modified the method disclosed in Fleming by the method taught in Herman in order to communicate information through a well known and widely used communication tool.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming (U.S. 5,953,710) in view of Maritzen et al. (U.S. 2002/0095386).

As to claim 13, Fleming shows all elements of claim 1.

Fleming does not specifically show wherein an address of the recipient is not stored in association with the recipient account.

Maritzen teaches wherein an address of the recipient is not stored in association with the recipient account. (para. 0054, showing storage of information associated with an account that does not include an address). This known technique is applicable to the system of Fleming as they both share characteristics and capabilities, namely, they are directed to account transactions.

One of ordinary skill in the art would have recognized that applying the known technique of Maritzen would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Maritzen to the teachings of Fleming would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such privacy features into similar systems. Further, applying privacy features to Fleming would have been recognized by those of ordinary skill in the art as resulting in an improved system that would protect a customer's privacy.

11. Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming in view of Cheong et al. (U.S. 7,006,993).

As to claim 42, Fleming shows all elements of claim 1.

Fleming does not specifically show displaying a graphical user interface for the user, the graphical user interface having an allowance setup interface that enables the user to designate the allowance increment, the recipient account and the recipient.

Cheong teaches displaying a graphical user interface for the user, the graphical user interface having an allowance setup interface that enables the user to designate the allowance increment, the recipient account and the recipient, wherein the graphical user interface is provided when the user accesses an online store via the network, and wherein the recipient account is associated with the online store (col. 8, line 37 through col. 10, line 7, and figs. 1, 4 and 10-14, showing a graphical user interface of a merchant site allowing a user to set up a recipient account for purchases at an online merchant).

It would have been obvious to one of ordinary skill in the art to include in the system of Fleming the ability to designate funds for use at online merchants as taught by Cheong since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As to claim 43, Fleming in view of Cheong shows all elements of claim 42. Fleming further shows wherein in designating the recipient account, an account identifier and password for the recipient account are provided by the user (col. 6, lines 20-47).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol See whose telephone number is (571)272-9742. The examiner can normally be reached on Monday - Thursday 6:45 am - 5:15 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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